

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**COLLAGE DESIGN &
CONSTRUCTION GROUP, INC.,
Plaintiff,**

v.

Case No. 6:21-cv-1572-ACC-EJK

**RNB CONSTRUCTION, INC. and
RAZVAN PUHA,
Defendants.**

ORDER TO SHOW CAUSE TO DEFENDANTS

This cause is before the Court on Magistrate Judge Kidd's Report and Recommendation (Doc. 60) filed on August 11, 2023 recommending that Defendants be sanctioned and held in civil contempt for failure to comply with his orders regarding post-judgment discovery to enforce the judgment obtained by Plaintiff. On May 19, 2023, Magistrate Judge Kidd ordered Defendants to show cause as to why sanctions should not be imposed for their failure to comply with his orders and set a Show Cause Hearing for June 14, 2023. (Doc. 41). Although Defendants were cautioned that their failure to appear at the June 14, 2023 Show Cause Hearing could result in sanctions, they failed to appear at the hearing. (Doc. 45). Defendants also failed to appear at an additional Show Cause hearing on July 18, 2023, which Judge Kidd set specifically to allow Defendants "ample opportunity to avoid sanctions." (Doc. 43).


“Pursuant to 28 U.S.C. § 636(e)(6)(B)(iii), if a magistrate judge finds that certain acts constitute civil contempt, ‘the magistrate judge shall forthwith certify the facts to a district judge,’ who may issue an order to show cause upon a party whose behavior is brought into question under Section 636(e)(6)(B).” (Doc. 60 at 3 (citing *Sream, Inc., v. S&T Tobacco Int., Inc.*, No. 6:18-cv-1733-Orl-37GJK, 2021 WL 8201486, at *1 (M.D. Fla. Jan. 11, 2021))). On August 11, 2023, Judge Kidd certified the facts detailed above and recommended that the undersigned issue an order to show cause to determine whether Defendants should be held in civil contempt. Defendants have failed to file any objections to Judge Kidd’s Report and Recommendation that they be adjudged in contempt of court by reason of the facts he has certified in the Report and Recommendation (Doc. 60).

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation (Doc. 60) to have Defendants show cause is **ADOPTED** and **CONFIRMED** and made part of this Order.
2. Defendants are **ORDERED** to show cause by **September 21, 2023** why they should not be adjudged in contempt of court for (1) failing to respond to post-judgment discovery from Plaintiff; (2) failing to appear at a Show Cause hearing before Magistrate Judge Kidd on June 14, 2023; and (2) failing to appear at a hearing before Magistrate Judge Kidd on July 18, 2023. **Failure to file a response to the Order to Show Cause may result in sanctions without further notice.**

3. An evidentiary hearing will be set following review of Defendants' response.

DONE and **ORDERED** in Orlando, Florida on September 9, 2023.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties